

CITY OF HOLLISTER CITY COUNCIL

Minutes of Regular Meeting

July 5, 2005

CALL TO ORDER:

The regular meeting of the City Council of the City of Hollister was called to order by Mayor Valdivia on July 5, 2005, at 6:00 p.m. in the City Council Chambers at City Hall.

ROLL CALL: Roll was answered as follows:

PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, Robert Scattini, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

ABSENT: None.

STAFF PRESENT: Interim Public Works Director Steve Wittry, Airport Manager Bill Gere, Administrative Services Director Robert Galvan, Police Chief Jeff Miller, Community Services Director Clay Lee, and Interim Development Services Director Bill Avera.

VERIFICATION OF AGENDA POSTING:

The Agenda for the City Council of the City of Hollister meeting of July 5, 2005, was posted on the bulletin board at City Hall on July 1, 2005, at 9:20 a.m. per Government Code Section 54954.2.

CLOSED SESSION AGENDA:

A. Public comment for Closed Session agenda.

None.

B. Mayor Valdivia announced that the City Council of the City of Hollister would meet

in Closed Session to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed)
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed)
3. Conference with Legal Counsel - Pending Litigation - pursuant to Government Code Section 54956.9(a)
 - a. RWQCB - Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case Number CU-04-00063
 - d. Borges et al v. Hollister, Case Number CV030139
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter
Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union - Local 3395; Hollister Peace Officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential
5. Threat to Public Services of Facilities pursuant to Government Code Section 54957:

Consultation with City of Hollister Chief of Police

Council Member Scattini moved to recess to Closed Session at 6:01 p.m. to discuss the items listed above. Motion seconded by Council Member Emerson and carried by a unanimous vote.

The City Council reconvened at 6:41 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Roll was answered as follows:

PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, Robert Scattini, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson

ABSENT: None.

VERIFICATION OF AGENDA POSTING:

The Agenda for the City Council of the City of Hollister meeting of July 5, 2005, was posted on the bulletin board at City Hall on July 1, 2005, at 9:20 a.m. per Government Code Section 54954.2.

CLOSED SESSION:

City Attorney Cass announced that the City Council of the City of Hollister had discussed the following in Closed Session and there was nothing to report:

1. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) -
 - a. RWQCB - Cease and Desist Order No. R3-2002-0105
2. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organization: Hollister Peace Officers Association

A. CONSENT RESOLUTION (July 5, 2005):

1. Minutes of Regular Meeting of June 20, 2005, and Special Meetings of June 13, June 14, June 16, and June 21, 2005.
 - (a) Approved the Minutes of the Regular Meeting of June 20, 2005, and Special Minutes of June 13, June 14, June 16, and June 21, 2005, as submitted.

2. Warrant Register.

- (a) Received transmittal, Warrant Register, from Administrative Services Director Galvan.
- (a) Ratified and approved Warrant Register:
dated June 16, 2005, in the amount of \$468,658.49

Council Member Scattini moved to adopt the Consent Resolution (July 5, 2005) as stated above. Motion seconded by Council Member Pike and carried by a unanimous vote.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. Public Input.

None.

C. PUBLIC HEARINGS: (on or about 7:00 P.M.)

- 1. Read by Title Only and Adopt Urgency Ordinance No. 999, AN URGENCY ORDINANCE OF THE CITY OF HOLLISTER AMENDING MUNICIPAL CODE CHAPTER 17.50 PROHIBITING THE INSTALLATION OF NEW OFF-PREMISES ADVERTISING SIGNS OR BILLBOARDS IN THE CITY.
 - (a) Received transmittal dated June 23, 2005, An Urgency Ordinance of the City of Hollister Amending Municipal Code Chapter 17.50 Prohibiting the Installation of New Off-Premises Advertising Signs or Billboards in the City, from City Attorney Cass.
 - (b) This being the time and place as continued, the Public Hearing was opened at 6:46 p.m.
 - (c) There being no speakers for or against the matter, the Public Hearing was closed at 6:46 p.m.
 - (d) Council Member Scattini moved to Read by Title Only and Adopt Urgency Ordinance No. 999, AN URGENCY ORDINANCE OF THE CITY OF HOLLISTER AMENDING MUNICIPAL CODE CHAPTER 17.50 PROHIBITING THE INSTALLATION OF NEW OFF-PREMISES ADVERTISING SIGNS OR BILLBOARDS IN THE CITY. Motion seconded by Council Member Emerson and carried by a unanimous vote.
 - (e) City Attorney Cass read by title only, Ordinance No. 999.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Resolution No. 2005-100, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE INCREASE IN RENTAL RATES FOR AIRCRAFT T-HANGARS AT THE HOLLISTER MUNICIPAL AIRPORT.
 - (a) Received transmittal dated June 23, 2005, A Resolution of the City Council of the City of Hollister Approving revised T-Hangar rental rates at the Hollister Municipal Airport, from Airport Manager Gere.
 - (b) Mayor Valdivia announced that this item would be pulled for further study and may be on the City Council agenda for July 18.

Council Member Scattini excused himself from the City Council Chambers due to a conflict of interest. Council Member Scattini absent at 6:50 p.m.

- (c) Gordon Machado, Hollister, CA representing the Airport Advisory Commission, explained that the Commission voted to not increase the hangar rental rates because the Commission did not receive the report until the day before or the day of the Commission meeting and the Commissioners felt they needed time to review the report. They don't want the Airport to become a bedroom airport community - they want locals to use the Airport. Mr. Machado also stated that the Resolution adopted in 2002 with a CPI increase should be implemented.
- (d) Dana Leisinger, Hollister, CA just received a copy of the report at 2:30 p.m. today and the increases are shocking. She urged the City Council to compare only airport hangars, not other storage spaces and believes Hollister can not be compared to San Jose.
- (e) Fred Meyer, Hollister, CA thanked the City Council for postponing an increase and he feels that a written notice should be sent to all of the tenants by mail. He said his hangar is 40 years old and in good shape and urged the City Council to build more T-Hangars.
- (f) Deane Judd, Hollister, CA thanked the City Council for deferring the rate increase. He announced that he will put together an alternate report for the City Council with additional information.
- (g) Ruth Erickson, Hollister, CA representing the Hollister Airmens Association thanked the City Council for deferring the rate increase. She commented that the annual CPI increase has not been collected for three years. The Airmens Association believes that with the proposed increases the locals will be driven out in favor of people from San Jose who can pay the higher rents.
- (h) Helen Ross, Hollister, CA stated that Resolution No. 2002-193 is already in place for rate increases tied to the CPI and that Resolution should be implemented.

- (i) Ernest Persich, Hollister, CA has lived here since 1983, built his own airplane, and was able to obtain a Keenan Hangar when they were built in 1983. He believes the City has to decide if they are going to make money or provide a service at the Airport.
- (j) Council Member discussion.
- (k) Council Member Pike moved to table this item. Motion seconded by Council Member Emerson and carried by a 4-0-0-1 vote, Council Member Scattini abstained.

Council Member Scattini present at 7:49 p.m.

- 2. Resolution No. 2005-101, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT WITH HPC ARCHITECTURE FOR THE BUILDING 25 REPLACEMENT PROJECT, CIP 2338.
 - (a) Received transmittal dated June 24, 2005, A Resolution of the City Council of the City of Hollister Approving Amendment No. 1 to the Professional Services Contract with HPC Architecture, from Interim Public Works Deputy Director Wittry.
 - (b) Council Member Emerson moved to adopt Resolution No. 2005-101, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT WITH HPC ARCHITECTURE FOR THE BUILDING 25 REPLACEMENT PROJECT, CIP 2338. Motion seconded by Council Member Johnson and carried by a unanimous vote.
- 3. Resolution No. 2005-102, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE ATTACHED LIST OF STREETS FOR THE PAVEMENT OVERLAY AND ROAD RECONSTRUCTION PROJECT 2005, CIP 2404.
 - (a) Received transmittal dated June 23, 2005, A Resolution of the City Council of the City of Hollister Approving the List of Streets for the Pavement Overlay and Road Reconstruction 2005 Project, CIP 2404, from Assistant Civil Engineer Kelley.
 - (b) Council Member Scattini moved to adopt Resolution No. 2005-102, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE ATTACHED LIST OF STREETS FOR THE PAVEMENT OVERLAY AND ROAD RECONSTRUCTION PROJECT 2005, CIP 2404. Motion seconded by Council Member Emerson and carried by a unanimous vote.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.
 - (a) Council Member Emerson reported that the Homeless Shelter Board received two resignations and the new President is Kathy Flores.; their next meeting will be Friday, July 8 at 2:00 p.m. at Fire Station #2; and they are working on raising \$100,000.
 - (b) Council Member Johnson announced that the Fire Task Force meeting will be held in July.
 - (c) Mayor Valdivia announced that the next Gang Task Force meeting will be held at the end of the month.
2. Reports from City Council, City Manager, City Attorney, and Staff.
 - (a) City Manager Quilter - introduced Chief of Police Miller who gave an overview of the weekend Motorcycle Rally to the City Council: there were fewer incidents due in part to the extra CHP officers; no major incidents; two pre-Rally sweeps with Probation and DOJ; police teams worked well with no injuries; informed the City Council of the incident regarding the two gangs (Mongols and Hells Angels) and said the officers did a good job - there were a few tense moments but no problems; the new Ordinance worked well - one person was found sleeping in the event area and a Hells Angel was caught with a 12" crescent wrench and gloves with studs; people left earlier Sunday due to the cooler weather; and there was a large fight at the bowling alley that resulted in five arrests.

Mayor Valdivia , on behalf of the City Council, thanked Chief Miller and the other officers and departments for keeping the City safe.

City Manager Quilter announced that the changes to the budget would be presented to the City Council at the July 18 meeting and the budget will be adopted on July 25.
 - (b) City Attorney Cass - responded to some previous questions from Council Member Scattini: (1) the City has an Ordinance that house numbers must be visible and that information will be going out on utility bills; (2) staff will correct signs in the City's parks; and (3) she is talking to the Chief of Police regarding enforcement of cars parked with for sale signs.
 - (c) City Clerk Johnson - thanked the "kids" of all ages who participated in the Fourth of July Kiddie Parade.

- (d) City Council Member Pike, District 1 - thanked all law enforcement and fire personnel for a great job during the Rally; thanked Police Chief Miller, Fire Chief Garringer, and the Public Works crews for their work before, during, and after the Rally; and stated his concerns with all of the illegal fireworks.
 - (e) City Council Member Emerson, District 4 - thanked all City workers who worked on the Rally especially Chief Miller and his crew; and he is also concerned with the illegal fireworks and suggested that next year the City should be more pro-active.
 - (f) City Council Member Johnson, District 5 - reminded everyone that the new Citizenship Ceremony will be in front of the Veterans Memorial Building tomorrow at 10:00 a.m.
 - (g) City Council Member Scattini, District 2 - thanked the police and especially the HIRC (Hollister Independence Rally Committee) people; they all worked hard especially Helen Nelson; and he received a thank you card from one of the t-shirt vendors who had about six booths.
 - (h) Mayor Valdivia, District 3 - stated she was glad the Rally went so smoothly and thanked everyone involved; and she also reminded everyone of the new Citizenship Ceremony to be held tomorrow.
3. Ratify Annual Mayoral Appointments to the Parks & Recreation and Airport Advisory Commissions and the Council Member appointment to the Planning Commission.
- (a) Received transmittal dated June 28, 2005, Ratify Annual Mayoral Appointments to the Parks & Recreation and Airport Advisory Commissions and the Council Member appointment to the Planning Commission, from City Clerk Johnson.
 - (b) Mayor Valdivia appointed Bruce Lewis, Adam Breen, and Andrew Shelton to the Parks and Recreation Commission. Council Member Scattini moved to ratify Mayor Valdivia's appointments of to the Parks & Recreation Commission. Motion seconded by Council Member Pike and carried by a unanimous vote.
 - (c) Mayor Valdivia appointed Gordon Machado to the Airport Advisory Commission. Council Member Scattini moved to ratify the Mayoral appointment of Mr. Machado. Motion seconded by Council Member Emerson and carried by a unanimous vote.
 - (d) Mayor Valdivia appointed Kent Pearce to the Airport Advisory Commission. Council Member Emerson moved to ratify the Mayoral appointment of Mr. Pearce. Motion seconded by Council Member Johnson and carried by a 3-2 vote, Council Member Pike and Council Member Scattini voting No.
 - (e) Council Member Emerson appointed David Huboi to the Planning

Commission. Council Member Emerson moved to ratify the appointment of Mr. Huboi to the Planning Commission. Motion seconded by Council Member Scattini and carried by a unanimous vote.

- (f) City Clerk Johnson will continue to advertise for applicants to the Planning Commission representing District 2.

4. Receive status report on Hollister Municipal Airport.

- (a) Received oral report from Airport Manager Gere.
- (b) Information only; no City Council action taken.

F. UNFINISHED BUSINESS:

1. Receive oral report regarding water and wastewater issues.

- (a) Received oral report from City Manager Quilter. He is going to the Regional Water Quality Control Board office in San Luis Obispo tomorrow and will have more information for the City Council on July 18.
- (b) Information only; no City Council action taken.

G. NEW BUSINESS:

None.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

There being no further business to come before the City Council of the City of Hollister, the regular meeting of July 5, 2005, was adjourned at 8:32 p.m. by motion of Council Member Pike. Motion seconded by Council Member Emerson and carried by a unanimous vote.

Respectfully submitted,

City Council Regular Meeting
July 5, 2005
Geri Johnson, CMC
City Clerk